

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROSA ELIA RODRIGUEZ, et al.,
Plaintiffs,
v.
COUNTY OF KERN, et al.,
Defendants.

Case No. 1:21-cv-01405-ADA-BAM

**ORDER GRANTING IN PART
STIPULATION TO AMEND
SCHEDULING ORDER**

(Doc. 41)

On September 14, 2022, the parties filed a stipulation to amend the deadlines in the current scheduling order to allow for sufficient time to complete discovery. (Doc. 41.) The parties explain that Plaintiffs filed their fourth amended complaint on September 1, 2022, which added a new defendant. Further, following meet and confer, Defendant Kern County Hospital Authority advised that it intended to proceed with a motion to dismiss the fourth amended complaint. (*Id.* at 3-4.) The parties report that they have been working diligently on this case, but in the course of meeting and conferring regarding defendant depositions and motions to dismiss, they have determined that counsel “are unavailable to the extent necessary to schedule and complete discovery in advance of the current discovery deadline.” (*Id.* at 4.) The parties also have determined that in light of the anticipated motion to dismiss by Defendant Kern County Hospital Authority, additional delays in discovery “are inevitable.” (*Id.*)

///

1 Having considered the parties' stipulation, and for good cause appearing, the parties'
2 request to modify the current scheduling order is GRANTED IN PART. Fed. R. Civ. P. 16(b)(4).
3 The Scheduling Order issued on February 9, 2022, is HEREBY MODIFIED as follows:

4	Non-Expert Discovery Cutoff:	March 20, 2023
5	Expert Disclosure Deadline:	April 17, 2023
6	Supplemental Expert Disclosure Deadline:	May 19, 2023
7	Expert Discovery Cutoff:	June 26, 2023
8	Dispositive Motion Filing Deadline:	July 17, 2023
9	Opposition to Dispositive Motion Due:	July 31, 2023
10	Reply to Dispositive Motion Due:	August 7, 2023
11	Pretrial Conference:	December 18, 2023, at 1:30 p.m. Courtroom 1 (ADA) before District Judge Ana de Alba
12		
13	Jury Trial (7-10 days):	February 20, 2024, at 8:30 a.m. Courtroom 1 (ADA) before District Judge Ana de Alba
14		

15 The Court declines to adopt the parties' proposed deadline for participation in
16 ADR/Settlement process at this time. If desired, the parties may contact Courtroom Deputy
17 Esther Valdez at (559) 499-5788 to schedule a settlement conference.

18 The Court also declines to adopt the parties' proposed deadlines for filing a joint pretrial
19 statement or scheduling hearings on disputed jury instructions or motions in limine. The parties
20 shall file a joint pretrial statement that complies with the requirements of this Court's Local Rule
21 281. At the pretrial conference, the Court will set deadlines, among others, to file motions in
22 limine, final witness lists, exhibits, jury instructions, objections and other trial documents.

23
24 IT IS SO ORDERED.

25 Dated: September 15, 2022

26 /s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE